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SULLIVAN JOY RIDES MAY BE TECHNICAL CRIME, 'JAIL ESCAPE'

Lawyers Hold Jaunts Liable to This Construction—McCormick To Be Subpoenaed if Information Is Withheld.

WILL QUIZ RILEY ON PRISON LAXNESS

Cropsey Sends Assistant on Second Trip to Sing Sing—Malloy, Auditor, in Cell for Refusing to Answer Question.

Developments in the latest of Sing Sing scandals, which grew out of Warden McCormick's permitting David A. Sullivan, wrecker of the Union Bank of Brooklyn, for which act he is more or less easily serving a sentence in Sing Sing Prison, to perform unwatched the duties of a chauffeur, followed in rapid succession yesterday.

As a result of evidence wrung from a Sing Sing official before the grand jury of Kings County by District Attorney Cropsey, his first assistant, Louis Goldstein, made a mysterious trip to Ossining and Yonkers last night. The object of his quest was said to be Warden McCormick, whom Goldstein wished to interrogate regarding Sullivan.

Before leaving Brooklyn last night Goldstein intimated that, in the event of his being unable to find McCormick or of the latter's refusal to assist him in the investigation begun by the Kings County authorities, the Warden would be subpoenaed to appear before the grand jury.

State Superintendent of Prisons John B. Riley, it was said, will also be called upon to account for the laxness with which the sentence imposed upon Sullivan has been carried out. He may be subpoenaed to-day.

Up to a late hour last night Assistant District Attorney Goldstein had not returned to Brooklyn. Warden McCormick was said to be present at a political meeting in Yonkers.

Lawyers who have interested themselves in the Sullivan case were of the belief yesterday that the absence of the former financier from Sing Sing while driving McCormick's motor car constituted a technical "jail escape," which, under the penal law, would be a crime.

A flying visit paid to Sing Sing prison by the State Superintendent of Prisons, John B. Riley, at the request of Governor Glynn resulted in McCormick's exoneration of the charges made by the deponents of the Union Bank, that Sullivan was being permitted to use liberty, which he utilized to conceal stolen assets of the wrecked institution. Riley arrived at the jail at 7 o'clock in the morning and stayed three hours, returning to Albany later.

William Church Osborn, chairman of the State Democratic Committee, intimated that the investigation of Sing Sing affairs was a Republican campaign ruse. Secrets of the grand jury room were to be allowed to leak out at a critical time, he said.

Jail Auditor in Cell.

Just how earnest District Attorney Cropsey of Kings County is in his efforts to investigate the reasons for the privileges accorded Sullivan was proved yesterday to the discomfort of John J. Malloy, an auditor of Sing Sing, who went to jail because he refused to answer questions before the Kings County grand jury.

Vincent Stowe, doorkeeper at Sing Sing, who possessed knowledge of Sullivan's leaving the penitentiary almost at will, narrowly escaped Malloy's predicament. He finally consented to answer questions upon being threatened with similar punishment, after receiving instructions by telephone from a superior official at Sing Sing.

Malloy and Stowe were served with subpoenas on Saturday following the adventures of Louis Goldstein, first Assistant District Attorney, at the Ossining jail. Had the men, when seen at the prison by Goldstein, refused to answer questions, they would have been treated to the grand jury proceedings, which might not have been necessary.

Stowe's testimony, when he did consent to tell what he knew concerning Sullivan's "joy rides," established on the records what the Kings County officials had only known by hearsay previously, that the Union Bank wrecker was being allowed unusual liberty. Last night their information was verified by John B. Riley, State Superintendent of Prisons, who admitted in an official statement that "Sullivan on several occasions accompanied the warden and his family to their home in Yonkers, acting as chauffeur."

The first knowledge the deponents of the Union Bank and the Kings County officials had of automobile was gained when Sullivan was arrested. Events followed fast until Sunday, when Governor Glynn notified Superintendent Riley to proceed, at once to Sing Sing and investigate the charges of leniency shown Sullivan by Warden McCormick.

The Union Bank deponents in a message to the Governor declared both McCormick and Superintendent Riley guilty of blocking efforts to trace stolen assets of the wrecked institution, but that clause of the message was ignored.

Riley arrived at Ossining yesterday. He went at once to Sing Sing, where he held a conference with Warden McCormick. He also was introduced to Sullivan. After the "investigation" he returned to Albany. Last night he proceeded to whitewash the prison officials, and that statement in which he admitted, however, that Sullivan was acting as chauffeur for McCormick.

Auto Trip Admitted.

Riley full statement follows: "I made inquiry concerning the charge that Warden McCormick had shown special favors to Convict Sullivan, and that that Sullivan on several occasions accompanied the warden and his family to their home in Yonkers, acting as chauffeur. This is, as far as I can learn, the extent of the favors shown Sullivan.

"It appears that Sullivan, who is a lawyer by profession, having formerly been a partner of Justice Hughes, of

TO HUNT FOR IVES WILL Daughter Gets Permission to Open Safe Deposit Boxes.

Surrogate Fowler issued an order yesterday permitting the opening of safe deposit boxes kept by General Braxton Ives, former president of the Stock Exchange and the Metropolitan Trust Company, in a search for his will. General Ives had boxes at the Stock Exchange Safe Deposit Company, the Atlantic Safe Deposit Company and the Mercantile Safe Deposit Company. He died on October 22.

The application for the search was made by Mrs. Eunice Maynard, a daughter of General Ives, who said that she believed her father left a will and that it was in one of the deposit boxes.

BIRCH FOR BAD BOYS

Bay State Judge Sentences Three Lads To Be Thrashed.

Plymouth, Mass., Oct. 26.—A thrashing at home with a birch rod was the sentence pronounced in the Superior Court to-day by Judge Hugo A. Dubuque in the case of three grammar school boys charged with breaking and entering summer cottages. The boys—Edward Clough and Frank and Antonio Perry—escaped an alternative sentence of confinement in a reform school when their parents promised that they would carry out the court order.

Judge Dubuque gave some instructions about the proper way to inflict punishment.

"Lay it on good and plenty, but don't cut them," he said. "Only apply the birch so it will smart. If you can't do it right without temper, get some one else to do it for you."

CARRANZA GUNS ROUT VILLA MEN

Herrera Snatches Victory from Defeat in Onslaught on Parral.

[By Telegram to The Tribune.] El Paso, Tex., Oct. 26.—Reports from Parral, Mexico, received at the Carranza consulate to-day, say that General Herrera, after the severe repulse of his army by the Villa forces in Parral, returned to the attack later, and is now in possession of the mining city. Herrera, the reports say, rallied his men after they had been driven from Parral and surprised the garrison, whose leaders supposed the Herrera force scattered in the mountains, slaughtered 300 of the Villa force and drove the others from their positions. Herrera's losses in the second attack are said by Carranza men to have been insignificant.

Villa reinforcements are now on the way to Parral, as are Carranza reinforcements from Saltillo.

Two Americans—Edward P. Baker, of Philadelphia, and a German named Froestine, believed to be from El Paso—were executed in Parral, Mexico, by the Carranza commander, General Herrera, following his capture of the town, according to a telegram received by Juan Baquer. Baquer's dispatch is from Roberto Garcia, at Parral. It said the two Americans were in the town during the two attacks and were arrested by Herrera men when the Villa garrison had been defeated in the second attack. They were charged with aiding Villa troops.

Agua Calientes, Mexico, Oct. 26.—Reputation of the conference's assumption of authority, a demand for the elimination of Villa from Mexican army affairs and the surrender of Zapata's army to a commander appointed by Carranza is the reply to the First Chief to the demands of the peace conference for his resignation. Carranza also demands that the plan of Guadalupe be changed to the plan of Aguas Calientes, and that it embody the demands outlined by himself. The conference no longer is a peace gathering. Carranza's reply removed the last chance which the delegates had to rely on for a peaceful settlement of the quarrel between the leaders. The formal deposing of Carranza already has been agreed on by the Villa and Zapata delegates, who arrived to-day. Zapata and Villa delegates are acting together in the conference, and the action taken by them will be the final determination of the meeting. The Carranza delegates refraining from taking any further part in the deliberations.

She had nothing to say directly to newspaper men. For publication she said, through Mr. Levy:

"I shall insist on a new trial, and that very soon. I demand that I be forever cleared of all suspicion, and that can be done only through my absolute acquittal, which I am certain a second trial will effect. Even though ten of the jurors have decided I was falsely accused I shall not rest until there no longer remains a stain on my name."

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EDISON'S KIN AT FRONT

Major Oeser, Inventor's Son-in-Law, Fighting for Kaiser.

West Orange, N. J., Oct. 26.—The secret reason for Thomas A. Edison's quiet but deep interest in the present European conflict became known to-day when it was learned the husband of his daughter, Major Carl Oeser, is at the front with the German army.

He has been in the army for a number of years and is an official in the ordnance department and for a time was assistant chief of the electro-mechanical department of the German army.

Mr. Edison, who, with Mrs. Edison and their son Charles, is visiting Henry Ford, the automobile manufacturer, at his home in Detroit, is expected home the latter part of this week. Several days ago Mr. Edison received a letter from his daughter, stating that her husband was somewhere at the front. Mrs. Oeser is a daughter of the inventor by his first marriage.

THREE DEAD IN THEATRE

Others Missing Under Debris in Youngstown Collapse.

Youngstown, Ohio, Oct. 26.—Three men are dead and three are in the hospital as the result of the collapse of the third floor of the new Hippodrome Building late to-day.

The crash came without warning and the inside of the building fell into the cellar, carrying the workmen with it. Several men escaped by clinging to jutting beams, while others were thrown clear of the wreckage into the street.

Several gangs were out to work to remove the concrete and rescue the buried men, and late to-night only one man was unaccounted for.

NEW CARMAN TRIAL MAY BE IN DECEMBER

Woman Accused in Bailey Murder, Freed in \$25,000. Will Go to Farm for Rest.

Justice Frederick E. Crane Likely to Preside at Next Hearing of Case.

HUSBAND AND LAWYER ACCOMPANY HER

FREEPORT NOT EN FETE OVER RELEASE

Not Satisfied with Jury's Action, Says She Will Fight for Complete Acquittal.

Mrs. Florence Carman's anxiety for a new trial—she smilingly said after she had been released on \$25,000 bail yesterday that she would fight to have her name cleared—may be relieved soon, should District Attorney Smith keep to his declaration of last evening to ask the Appellate Division to assign a new Supreme Court justice to preside, Justice Kelly's Mincola assignment terminating in a few weeks.

Meanwhile the woman who still stands accused of murdering Mrs. Louise Bailey will rest. This morning she, Dr. Carman and George M. Levy, her friend and attorney, will go to Raven Rock, Pa., to a farm owned by Mr. Levy and the doctor, who are in the hog raising business there. It was to this farm that Mrs. Carman retired when she was released on bail following her indictment for manslaughter by the first grand jury last July.

The Carman's will remain at Raven Rock for about a week, but Mr. Levy will return to the city to-morrow morning.

The threatened jury scandal, which assumed great size on Sunday morning, lost much of its vitality yesterday. District Attorney Smith said that the bail question consumed so much of his time yesterday that he was unable to dig into the story of the juror who told a newspaper man on Sunday morning that nine of the jurors admitted on Thursday night they would hold out for acquittal.

Mr. Smith said he would question all of the jurors on this, beginning to-day. He was apparently not hopeful of turning up much ore. Mr. Levy was too closely occupied with the affairs of his client to turn his mind actively to the matter, and what Justice Kelly thought about it was not disclosed.

The houses in Freeport displayed no more flags than usual when word came that Mrs. Carman was again out in the open air. She passed out of custody at 12:45 o'clock yesterday afternoon and at 3:30 she was at home.

She had nothing to say directly to newspaper men. For publication she said, through Mr. Levy:

"I shall insist on a new trial, and that very soon. I demand that I be forever cleared of all suspicion, and that can be done only through my absolute acquittal, which I am certain a second trial will effect. Even though ten of the jurors have decided I was falsely accused I shall not rest until there no longer remains a stain on my name."

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GRAND JURY ASSAULTS DEP'T OF CHARITIES

Food in Metropolitan Hospital Scored as Unfit for Human Consumption.

Conditions at Home for Aged "Shocking"

Feeble-Minded Children Only Partly Clad—"Dead Robbed in Morgue," Jurors Charge.

Following a two months' investigation into the conduct of the city institutions under the charge of Commissioner John A. Kingsbury of the Department of Public Charities, the August grand jury of New York County yesterday afternoon handed up a presentment to Justice Charles C. Nett, of General Sessions, recommending the abolition of the present administrative system of that department and the placing of such control in the hands of a board of charities.

The plan suggested is similar to that followed in Bellevue and Allied Hospitals, and, the report says, "is analogous to that of the museums of Art and Natural History, all successfully administered."

In its formal presentment, or, rather, series of presentments, the grand jury reports separately upon conditions in the city morgue, the New York City Home for the Aged and Infirm, on Blackwell's Island; the Children's Hospitals and Schools, on Randall's Island, and the Metropolitan Hospital, on Blackwell's Island. It condemns in the strongest fashion conditions existing in these institutions.

In its report upon the city morgue the grand jury says, in part: "It is a place where the dead are cared for with no reverence and in which their bodies have been robbed."

"We find that the continued existence of this charnel house is no longer necessary, as there has been completed for a long time a morgue of modern, sanitary construction and ample capacity in the pathological building of Bellevue Hospital, in 29th st., between First av. and the river. This morgue appears ready in the last detail to be put to use."

"We recommend in the interests of the public that the city authorities take steps immediately to close the old morgue and open the new; that, if under existing conditions this is not feasible an appeal be made to the Legislature for such powers and transfers of authority as may be necessary."

Criticism Home for Aged.

"We recommend that competent officials and suitable subordinates be employed; that they be so clothed that their garments can be kept in a sanitary condition; that the practice of employing low grade help without pay be ended. Recent events have clearly illustrated the abuses that can follow this kind of management."

Conditions at Randall's Island. In the City Home for the Aged and Infirm were even more shocking to the grand jurors. The number of inmates was placed at 2,991, 1,995 men and 1,396 women. The report stated that there was insufficient cubic space and ventilation, and that inmates were

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ARMIES DEADLOCKED; SIEGE GUNS HAMMER ALLIES' STONE WALL

Great Battle Raging in Poland Along 67-Mile Front.

GERMANS FALL BACK AT POINT OF BAYONET

Russians Say They Buried 700 of Enemy After One Charge.

AUSTRIAN RESISTANCE WEAKENING IN GALICIA

Valley of the Spryng Covered with Dead, Estimated to Number 5,000.

Paris, Oct. 27.—The Havas Agency has received from Petrograd the following official communication, issued in the Russian capital:

"The combats upon the routes leading to Petrograd and Radow have assumed the character of a great battle, of which the front extends over 100 versts (a verst is two-thirds of a mile) from Rawa to Novomiaszto and Bialobrzeg, as far as the mouth of the River Hljanka.

"The evening of October 24, north of Rawa, we attacked the Germans at the point of the bayonet, inflicting upon them considerable losses. In the village of Morchillo alone we buried over 700 Germans.

"In a bayonet combat near the village of Mazmerjeff we captured two batteries of machine guns.

"Our troops command the forest of Nemblogo, southeast of Rawa, where we took over 400 prisoners. In the forest, between Radow and Kosenitz, tenacious combats continue.

"We have progressed along the routes from Nova to Alexandria, where we captured numerous prisoners and cannon.

"The stubborn resistance of the Austrians in Galicia is weakening, and our troops are making vigorous progress in the region south of Sambor and Staromiaszto, where we took eleven cannon and many caissons.

"The entire valley of the River Spryng is covered with bodies of the enemy, estimated to aggregate at least 5,000.

"All attempts by the Germans to resume a partial offensive on the Eastern Prussian front have been repelled."

London, Oct. 26.—The German official report to-night again speaks of the German offensive on Augustowo, Russian Poland, which it declares is progressing. It reiterates that the battle near Ivanogrod, although favorable to the Germans, remains undecided.

North of this section the Russians claim to be still pursuing the Germans who attempted an advance on Warsaw and southward to have crossed the Vistula and driven the Austrians back.

In Galicia and in the Carpathians the Russians also claim to have broken down the Austrian offensive.

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German Officers Blame Atrocities on Kaiser

[By Cable to The Tribune.] Paris, Oct. 26.—Eighty-three prisoners from around Ypres arrived here to-day, utterly worn-out. Some, from Lille, were literally at the point of starvation. A couple of officers, when asked why the Germans were so cruel to inoffensive populations, said: "It is not for us to discuss our Kaiser's orders."

INDIANS CUT PATH WITH COLD STEEL

German Assault Broken by Dashes of Oversea Forces in Pursuit at La Basse.

London, Oct. 27.—A dispatch to "The Daily Telegraph," dated "Northern France," relates the first instance of the British Indian troops coming into action.

"It was at La Basse last week," says the dispatch, "when, by a great effort, the Germans carried the British trenches, and the position looked dangerous. An avalanche of the enemy poured through, evidently supposing that the way was open to the coast. They had a rude awakening.

"The supports of the British line were the Indian troops, who had been thirsting to prove their quality. It was a bayonet affair, and the German advance was beaten and broken. The Indians ran through them using the steel in their own workmanlike fashion and thrusting the foe back to receive the right and left fire of the British infantry who awaited their coming.

"Not only did the Indians regain the lost trenches, but they pursued the enemy down the hill until their officers thought it prudent to recall them."

2,600 REFUGEES ON SHIP SUNK BY MINE

Thirty Jump from French Steamer in Panic, Calais Boat Saves Rest.

[By Cable to The Tribune.] Folkestone, Oct. 26.—But for the fortunate presence of the cross-channel steamer the Queen of Dover, half an hour off Boulogne, another terrible record might have had to be added to-night to the already tragic story of the refugees.

The French steamer Amiral Ganteaume, of Calais, bound from that port to La Rochelle, left this afternoon having aboard 2,600 refugees, Belgians and French. Some distance out from Calais an explosion took place and the vessel began to sink almost on an even keel.

The cause of the explosion is not known with certainty, but most of the evidence goes to show that the steamer struck a mine. Certain it is that a violent explosion took place forward, and immediately the vessel began to sink.

The Queen, two torpedo boats and a diving machine were within a few minutes' steam of the French ship. As soon as it was seen that she was in distress they went to her assistance at full speed.

Just as the Amiral Ganteaume was about to be launched, a large number of the refugees were women with young children. Terrified at the explosion and feeling the steamer sinking, they were ordered to jump overboard.

A number of them, desperate with fear, could not be restrained from jumping overboard before the vessel had picked them up. In this way several lives, the total ranging, according to varying reports, from twelve to thirty, were lost.

The sea was too rough to allow boats to be launched, and the Queen, the cooless and good seamanship of her commander, Captain Carry were the means of averting a terrible loss of life.

But all the time the passengers and crew of the Queen worked hard, saving the frightened women as they jumped, catching the children tossed to them by agonized mothers, and hauling men aboard however they could grip them.

When the Queen left the scene of the accident the Amiral Ganteaume was still afloat and British destroyers were standing by.

MEN WHO STARTED WAR FOUND GUILTY

Archduke's Assassin and 22 Others Convicted of Treason at Sarajevo.

London, Oct. 27.—A dispatch to the Exchange Telegraph Company from Rome gives the following received from Sarajevo, Bosnia, under date of Monday:

"Gavrilo Princip, the assassin, and Grabez, a student; Nedeljko Gabrinovic and twenty-one of Princip's accomplices, were found guilty to-day for the killing of Archduke Francis Ferdinand and his wife."

"As the court pronounced the verdict there could be distinctly heard the rumble of artillery of the Serbians who had fought desperately to capture the city and liberate the prisoners, all of whom are Slavs. The court will pronounce sentence on Wednesday.

"Archduke Francis Ferdinand, heir apparent to the Austro-Hungarian throne, and his wife, were shot to death by Princip while on a visit to Sarajevo on June 28.

Germans Face Solid Lines of Enemy Across Yser

SAY SHELLS HIT 3 BRITISH WARSHIPS

Their Losses in Belgium Now Are Counted by Tens of Thousands.

GREAT HOWITZERS BROUGHT INTO ACTION

Canals and Double Line of Defensive Works Aid Allies in Protecting Dunkirk.

Paris, Oct. 26.—The smashing tactics of the Germans along the North Sea coast line continued incessantly to-day, when the big guns were turned on Neuport, and the Allies had to withstand constant attacks of masses of troops. Very little progress, however, was made by the Germans, who were faced with the strongest resistance.

Yesterday's crossing of the Yser apparently had only a moral effect, as the Germans were confronted by solid lines of allied troops and were prevented from advancing, without overwhelming efforts, further toward the Channel ports. The character of the country prohibits a rapid movement, as the land is cut up by canals, and two strong series of defensive works separate them from Dunkirk.

According to the Berlin official report, the German artillery offset the fire from the British warships, three of which were said to be hit.

The Belgian losses in nine days, according to reports from the front, are 10,000 killed and wounded. The German losses are much heavier.

The German infantry executed a number of night attacks not only at the extreme wing, but also in the vicinity of Lille, where they encountered a most obstinate resistance. The Allies are displaying wonderful energy in this region. The commanders are sparing their men many hardships and are able to give constant reliefs to the troops on the firing line.

Men Play Between Fights.

When they come from the front for a rest they are accommodated in the numerous villages scattered in the rear, where they seem to throw off all feeling engendered by the critical situation and play cards, dominoes and other games in the cafes until the boys call them together for a further spell of fighting. Then they go forward cheerily to the inferno, where they must face the shrapnel and machine guns, bidding "So long!" to their comrades whose places they are taking.

Sometimes villages change hands several times during the course of a day. To-day in one hamlet forty allied soldiers who had been wounded were lying in a factory which had been turned into a hospital. A shell struck the building and it broke into flames.

The bearers of the attending ambulance volunteered to rescue the wounded, and succeeded in saving all of them. In an hour afterward this hamlet was captured by the Germans, who, after occupying it for a short time, were chased out again after desperate street fighting. Meanwhile the wounded had been removed to the base hospital in the rear.

On the line from Soissons to Craonne the Allies are said to have obtained a slight advantage in to-day's fighting, while on the eastern wing the French are credited with a gain, which, it is claimed, places the German lines of communication in difficulty. The French here pushed well forward and left only a narrow outlet, about twelve miles wide, for a possible German retirement.

French Entrenched in Vosges.

The French are said to occupy every position of importance in the Vosges. Their scouts swarm in every wood and thicket in front of their trenches, which are protected with barbed wire entanglements.

The French aviators are doing excellent service in locating the German forces and finding the positions of their artillery.

Telegrams from the front this morning, "indicate a general allied advance in the region between Neuport and Ypres, as well as to the east of Arras."

Amsterdam, Oct. 26 (by way of London).—The "Telegraf" learns that two 42-centimetre howitzers and ten 28-centimetre guns have arrived at Brussels. The Germans also have posted guns between Zebrugg and Heyssels (a Belgian seaside resort, nine miles north of Brussels). Near Neuport the position of the Allies has improved, according to the "Telegraf."

According to the Aardburg correspondent of the "Nieuwe Rotterdamse Courant," fugitives who have arrived there say that when Roulers was bombarded the French offered desperate resistance. Severe street fighting followed, the soldiers firing from windows and roofs before they finally evacuated the town.

The Germans, the correspondent adds, burned down half the town. Roulers will be required to pay \$10,000 as a war contribution.

London, Oct. 26.—The Official Press Bureau issued the following statement at 10:40 o'clock this evening:

"The situation continues to be static. The fighting is severe and continuous, but ground is being gained and many prisoners have been taken. One of our divisions has captured two guns."

The battle for the Straits of Dover, one of the most sanguinary of the war,